

The Gazette of India

EXTRAORDINARY PART II—Section 1 PUBLISHED BY AUTHORITY

No. 22] NEW DELHI, WEDNESDAY, MAY 3, 1961/VAISAKHA 13, 1883

MINISTRY OF LAW (Legislative Department)

New Delhi, the 3rd May, 1961/Vaisakha 13, 1883 (Saka)

The following Acts of Parliament received the assent of the President on the 2nd May, 1961, and are hereby published for general information:—

THE TELEGRAPH LAWS (AMENDMENT) ACT, 1961

No. 15 of 1961

[2nd May, 1961]

An Act further to amend the Indian Telegraph Act, 1885 and the Indian Wireless Telegraphy Act, 1933.

BE it enacted by Parliament in the Twelfth Year of the Republic of India as follows:—

1. This Act may be called the Telegraph Laws (Amendment) Act, 1961. Short title.

13 of 1885. 2. In the Indian Telegraph Act, 1885 (hereinafter referred to as the Telegraph Act), in section 3, for clause (1), the following clause shall be substituted, namely:— Amendment of section 3.

‘(1) “telegraph” means any appliance, instrument, material or apparatus used or capable of use for transmission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, visual or other electro-magnetic emissions, Radio waves or Hertzian waves, galvanic, electric or magnetic means;

Explanation.—“Radio waves” or “Hertzian waves” means electro-magnetic waves of frequencies lower than 3,000 giga-cycles per second propagated in space without artificial guide:’

Amendment
of section 7.

3. In section 7 of the Telegraph Act,—

(i) in sub-section (2), after clause (j), the following clause shall be inserted, namely:—

“(jj) the qualifications to be possessed and the examinations, if any, to be passed by the persons employed for the establishment, maintenance or working of any telegraph and the fees to be charged for admission to such examinations;”;

(ii) for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) Every rule made under this section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”.

Amendment
of section 2.

4. In the Indian Wireless Telegraphy Act, 1933 (hereinafter referred to as the Telegraphy Act), in section 2,—

(a) for clause (1), the following clause shall be substituted, namely:—

“(1) “wireless communication” means any transmission, emission or reception of signs, signals, writing, images and sounds, or intelligence of any nature by means of electricity, magnetism, or Radio waves or Hertzian waves, without the use of wires or other continuous electrical conductors between the transmitting and the receiving apparatus;

Explanation.—“Radio waves” or “Hertzian waves” means electro-magnetic waves of frequencies lower than 3,000 gigacycles per second propagated in space without artificial guide;”;

(b) for clause (2A), the following clause shall be substituted, namely:—

“(2A) “wireless transmitter” means any apparatus, appliance, instrument or material used or capable of use for transmission or emission of wireless communication;”.

5. In the Telegraphy Act, in section 10, after sub-section (3), the following sub-section shall be inserted, namely:—

Amendment
of section
10.

“(4) Every rule made under this section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”.

THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS) AMENDMENT ACT, 1961

No. 16 OF 1961

[2nd May, 1961]

An Act further to amend the Industrial Employment (Standing Orders) Act, 1946.

BE it enacted by Parliament in the Twelfth Year of the Republic of India as follows:—

1. This Act may be called the Industrial Employment (Standing Orders) Amendment Act, 1961. Short title.

2. In section 1 of the Industrial Employment (Standing Orders) Act, 1946 (hereinafter referred to as the principal Act), for sub-section (3), the following sub-section shall be substituted, namely:— Amendment
of section 1.

20 of 1946.

“(3) It applies to every industrial establishment wherein one hundred or more workmen are employed, or were employed on any day of the preceding twelve months:

Provided that the appropriate Government may, after giving not less than two months' notice of its intention so to do, by notification in the Official Gazette, apply the provisions of this Act to any industrial establishment employing such number of persons less than one hundred as may be specified in the notification:

Provided further that nothing in this Act shall apply to any industry to which the provisions of Chapter VII of the Bombay Industrial Relations Act, 1946 apply or to any industrial establishment to which the provisions of the Madhya Pradesh Industrial Workmen (Standing Orders) Act, 1959 apply.”.

Bombay Act
11 of 1947.

Madhya
Pradesh Act
19 of 1959.

Amendment
of section 2.

3. In section 2 of the principal Act,—

(i) for clause (c), the following clause shall be substituted, namely:—

“(c) ‘Certifying Officer’ means a Labour Commissioner or a Regional Labour Commissioner, and includes any other officer appointed by the appropriate Government, by notification in the Official Gazette, to perform all or any of the functions of a Certifying Officer under this Act;”;

(ii) in sub-clause (i) of clause (d), for the words, letter, brackets and figures ‘clause (e) of sub-section (1) of section 9 of the Factories Act, 1934’, the words, letter, brackets and figures ‘clause (f) of sub-section (1) of section 7 of the Factories Act, 1948’ shall be substituted;

25 of 1934.

63 of 1948.

(iii) in clause (e), for sub-clause (ii), the following sub-clause shall be substituted, namely:—

“(ii) a factory as defined in clause (m) of section 2 of the Factories Act, 1948, or”;

63 of 1948.

(iv) in sub-clause (i) of clause (i), for the words, brackets and figures “the Navy (Discipline) Act, 1934”, the words and figures “the Navy Act, 1957” shall be substituted.

34 of 1934.

62 of 1957.

Amendment
of section 6.

4. In section 6 of the principal Act, in sub-section (1), for the words “twenty-one days”, the words “thirty days” shall be substituted.

Insertion of
new section
14-A.

5. After section 14 of the principal Act, the following section shall be inserted, namely:—

Delegation
of powers.

“14A. The Central Government may, by notification in the Official Gazette, direct that any power exercisable by it under this Act or rules made thereunder shall, in relation to such matters and subject to such conditions, if any, as may be specified in the direction, be exercisable also by such officer or authority subordinate to the Central Government or by the State Government or by such officer or authority subordinate to the State Government, as may be specified in the notification.”.

Amendment
of section 15.

6. In section 15 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) Every rule made by the Central Government under this section shall be laid as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or

in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule."

R. C. S. SARKAR,
Secy. to the Govt. of India.

ERRATUM

The Date of issue of the Gazette of India Extraordinary, Part II—Section 1, (Issue No. 17) containing The Insurance (Amendment) Act, 1961, (pp 121—123), should be read as "Monday, April 3, 1961|Chaitra 13, 1883" in place of "Monday March 3, 1961|Chaitra 13, 1883".

